

(Petition and Fee for Extension of Time (37 CFR 1.136(a) [11-2]-page 1 of 3)



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS: **ROBERT P. BENJEY**
 FOR **CONTROLLING FUEL TANK VAPOR VENTING DURING**
REFUELING
 SERIAL NO.: **09/963,815**
 FILED: **September 26, 2001**
 GROUP NO.: **3753**
 EXAMINER: **JOHN A. RIVELL**

RECEIVED
 MAR 16 2004
 TECHNOLOGY CENTER R3700

Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

PETITION AND FEE FOR EXTENSION OF TIME (37 CFR 1.136(a))

1. This is a petition for an extension of the time for a total period of three (3) months to March 8, 2004

(Indicate matter being extended)

NOTE. "Extensions of time in Patent Cases (Supplement Amendments) - If a timely and complete response has been filed after a Non-Final Office Action, an extension of time is not required to permit filing and/or entry of an additional amendment after expiration of the shortened statutory period.

If a timely response has been filed after a Final Office Action, an extension of time is required to permit filing and/or entry of a Notice of Appeal or filing and/or entry of an additional amendment after expiration of the shortened statutory period unless the timely-filed response placed the application in condition for allowance. Of course, if a Notice of Appeal has been filed within the shortened statutory period, the period has ceased to run." Notice of December 10, 1985 (1061 O.G. 34-35).

NOTE. See 37 CFR 1.645 for extensions of time in interference proceedings and 37 CFR 1.550(c) for extensions of time in reexamination proceedings.

CERTIFICATE OF MAILING UNDER 37 CFR 1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on March 8, 2004.

Lorelei K. Dingethal

03/15/2004 BABRAHA1 00000026 09963815

01 FC:1253 950.00 DA

(Petition and Fee for Extension of Time (37 CFR 1.136(a) [11-2] - page 2 of 3)

2. A response in connection with the matter for which this extension is requested:

 X is filed herewith.
 has been filed.

(Complete the following if applicable)

NOTE., The PTO accepts the filing of a continuing application as a response under 37 CFR 1.136 and 1.137. To facilitate processing in such a case the petition for extension of time should specifically refer to the filing of a continuing application and also include an express abandonment of the prior application conditioned upon the granting of the petition and the granting of a filing date to the continuing application. Notice of May 13, 1983, 1031 O. G. 11-12.

 the response is the filing of a continuation application having an express abandonment conditioned on the granting of a filing date to the continuing application.

3. Applicant is

 a small entity - verified statement:
 attached.
 already filed.
 X Other than a small entity.

4. Calculation of extension fee (37 CFR 1.17(a)-(d)):

Total months requested	Fee for other than small entity
<u> </u> one month	\$ 110.00
<u> </u> two months	\$ 420.00
<u> X </u> three months	\$ 950.00
<u> </u> four months	\$ 1,480.00
<u> </u> five months	\$2,010.00

Fee \$ 950.00

If an additional extension of time is required please consider this a petition therefor.

(check and complete the next item, if applicable)

 X An extension for _____ months has already been secured and the fee paid therefor of \$ _____ is deducted from the total fee due for the total months of extension now requested

Extension fee due with this request \$ 950.00

5. Extended period for response

Based on the extension requested in this petition (and that for which a previous petition has been filed, if any) the extended period for response will expire on March 8, 2004
date

(Petition and Fee for Extension of Time (37 CFR 1.136(a) [11-2] - page 3 of 3)

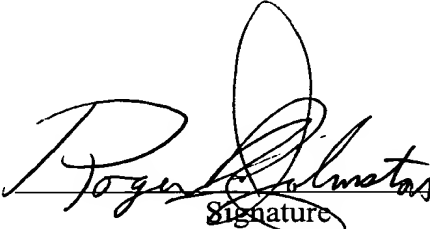
6. Fee Payment

NOTE. *If there is a fee deficiency and there is no authorization to charge an account, additional fees are necessary to cover the additional time consumed in making up the original deficiency. If the maximum six-month period has expired before the deficiency is noted and corrected, the application is held abandoned. In those instances where authorization to charge is included, processing delays are encountered in returning the papers to the PTO Finance Branch in order to apply these charges prior to action on the cases. Authorization to charge the deposit account for any fee deficiency should be checked. See the Notice of April 7, 1986; 1065 O.G. 31-33.*

Attached is a check in the sum of \$ _____

☒ **Charge Account 05-0275** for any additional extension and/or fee required or credit for any excess fee paid.

☒ **Charge Account 05-0275** and this is a request to Charge for any additional extension and/or fee required or credit for any excess fee paid. **A triplicate copy of this petition is attached.**


Signature

Roger A. Johnston, Attorney for Applicants
Registration No.: 25,880

Eaton Corporation
Eaton Center
1111 Superior Avenue
Cleveland, OH 44114-2584
Tel. No.: (216) 523-4132